

House File 2463

H-8249

1 Amend House File 2463 as follows:

2 1. By striking page 41, line 25, through page 43,
3 line 23, and inserting:

4 <Sec. _____. 2013 Iowa Acts, chapter 138, section
5 147, is amended to read as follows:

6 SEC. 147. JUVENILE INSTITUTIONS. There is
7 appropriated from the general fund of the state to
8 the department of human services for the fiscal year
9 beginning July 1, 2014, and ending June 30, 2015, the
10 following amounts, or so much thereof as is necessary,
11 to be used for the purposes designated:

12 1. For operation of the Iowa juvenile home state
13 training school for female juvenile delinquents at
14 Toledo as enacted by this 2014 Iowa Act, to operate
15 with a capacity of 20 placement beds and five
16 evaluation beds and for salaries, support, maintenance,
17 and miscellaneous purposes, and for not more than the
18 following full-time equivalent positions:

19	\$	4,429,678
20		8,898,000
21	FTEs	114.00
22		54.00

23 a. Of the funds appropriated in this subsection,
24 up to \$2,700,000 may be used by the department for the
25 placement costs of females and males adjudicated as a
26 child in need of assistance that under prior law would
27 have been placed at the Iowa juvenile home.

28 b. Of the funds appropriated in this subsection,
29 \$1,218,000 shall be used for the costs of compensatory
30 education to address the reviews of special education
31 of certain children placed at the Iowa juvenile home
32 conducted by the department of education in fall 2013
33 and reported to the department of human services on
34 October 7 and December 20, 2013.

35 2. For operation of the state training school at
36 Eldora and for salaries, support, maintenance, and
37 miscellaneous purposes, and for not more than the
38 following full-time equivalent positions:

39	\$	5,628,485
40		11,500,098
41	FTEs	164.30

42 Of the funds appropriated in this subsection,
43 ~~\$45,575~~ \$91,150 shall be used for distribution
44 to licensed classroom teachers at this and other
45 institutions under the control of the department of
46 human services based upon the average student yearly
47 enrollment at each institution as determined by the
48 department.

49 3. A portion of the moneys appropriated in this
50 section shall be used by the state training school

1 ~~and by the Iowa juvenile home schools~~ for grants for
2 adolescent pregnancy prevention activities at the
3 institutions in the fiscal year beginning July 1,
4 2014.>

5 2. Page 87, after line 11 by inserting:

6 <DIVISION _____

7 STATE TRAINING SCHOOLS — EDUCATION

8 Sec. _____. LEGISLATIVE FINDINGS. The general
9 assembly finds there is a need to improve the system
10 to meet the needs of children who have committed
11 a delinquent act, have been abused, neglected, or
12 subjected to trauma, or have other significant needs
13 that put the safety of the children or the public at
14 risk. The areas for system improvement include but are
15 not limited to all of the following:

16 1. Providing equity in the services available for
17 both the male and female children involved in the
18 system.

19 2. Providing appropriate safeguards to ensure
20 children in placements are safe and getting their needs
21 met.

22 3. Ensuring that education and training services
23 meet state and federal requirements and prepare the
24 children for long-term success.

25 4. Engaging children in services after an
26 out-of-home placement to prevent the need for placement
27 from reoccurring.

28 5. Providing an effective system to support
29 children when they attain adulthood in order to prevent
30 their engagement with the adult criminal justice
31 system.

32 Sec. _____. IMPLEMENTATION.

33 1. As the level of service for juvenile delinquent
34 females provided for in this Act does not currently
35 exist in the state and represents a gap in the
36 continuum of care for juvenile females, reopening, and
37 making necessary changes in the facilities of the Iowa
38 juvenile home of Toledo provides the best means of
39 expeditiously fulfilling the duties outlined in section
40 233B.1, as enacted by this Act.

41 2. In reopening the facility at Toledo as the
42 state training school for juvenile delinquent females
43 in accordance with this division of this Act, the
44 department of human services shall phase in the
45 following provisions as follows:

46 a. The department of human services shall begin
47 implementation of the requirements for the two state
48 training schools to be accredited as secure juvenile
49 correctional facilities and to comply with other
50 regulatory requirements in accordance with section

1 233A.1, subsection 7, and section 233B.1, subsection
2 7, upon enactment of this Act and shall complete the
3 correctional association accreditation by June 30,
4 2017. The department shall propose a schedule to the
5 governor and general assembly on or before December
6 15, 2014, for compliance with the other regulatory
7 requirements.

8 b. Education services in accordance with section
9 282.33, as amended by this division of this Act, shall
10 be developed by the close of the fiscal year beginning
11 July 1, 2014, in conjunction with the department of
12 education, affected area education agencies, affected
13 school districts, and other stakeholders.

14 Sec. _____. Section 232.2, subsection 22, paragraph
15 b, subparagraph (3), Code 2014, is amended to read as
16 follows:

17 (3) Visiting the home, residence, or both home and
18 residence of the child and any prospective home or
19 residence of the child, including each time placement
20 is changed. A child in a placement other than with
21 the child's parent shall be visited at the placement
22 at least quarterly.

23 Sec. _____. Section 232.2, Code 2014, is amended by
24 adding the following new subsection:

25 NEW SUBSECTION. 54A. "*State training school*"
26 means the state training school for female juvenile
27 delinquents at Toledo maintained in accordance with
28 chapter 233B or the state training school for male
29 juvenile delinquents at Eldora maintained in accordance
30 with chapter 233A.

31 Sec. _____. Section 232.49, subsection 2, Code 2014,
32 is amended to read as follows:

33 2. When possible an examination shall be conducted
34 on an outpatient basis, but the court may, if it deems
35 necessary, commit the child to a state training school
36 or to a suitable hospital, facility, or institution for
37 the purpose of examination. Commitment for examination
38 shall not exceed thirty days and the civil commitment
39 provisions of chapter 229 shall not apply.

40 Sec. _____. Section 232.49, subsection 3, paragraph
41 b, Code 2014, is amended to read as follows:

42 b. An examination shall be conducted on an
43 outpatient basis unless the court, the child's counsel,
44 and the parent, guardian, or custodian agree that
45 it is necessary the child be committed to a state
46 training school or to a suitable hospital, facility, or
47 institution for the purpose of examination. Commitment
48 for examination shall not exceed thirty days and the
49 civil commitment provisions of chapter 229 shall not
50 apply.

1 Sec. _____. Section 232.52, subsection 7, Code 2014,
2 is amended by adding the following new paragraph:
3 NEW PARAGRAPH. *Ob.* When the court orders the
4 transfer of legal custody of a child pursuant to
5 subsection 2, paragraph "d", "e", or "f", the child's
6 attorney shall visit the child at the child's placement
7 at least quarterly.

8 Sec. _____. Section 232.102, subsections 3 and 4,
9 Code 2014, are amended by striking the subsections.

10 Sec. _____. Section 232.103, subsection 7, Code 2014,
11 is amended by striking the subsection.

12 Sec. _____. Section 233A.1, Code 2014, is amended to
13 read as follows:

14 233A.1 State training school — Eldora and Toledo.

15 1. For the purposes of this chapter, unless the
16 context otherwise requires:

17 a. "Department" means the department of human
18 services.

19 b. "Director" means the director of human services.

20 c. "State training school" means the state training
21 school for male juvenile delinquents at Eldora.

22 d. "Superintendent" means the superintendent of the
23 state training school for male juvenile delinquents.

24 1. 2. Effective January 1, 1992, a A diagnosis
25 and evaluation center and other units are established
26 at Eldora and shall be operated, maintained, and
27 staffed by the department to provide to male juvenile
28 delinquents a program which focuses upon appropriate
29 developmental skills, treatment, placements, and
30 rehabilitation.

31 2. The diagnosis and evaluation center which is
32 used to identify appropriate treatment and placement
33 alternatives for juveniles and any other units for
34 juvenile delinquents which are located at Eldora and
35 the unit for juvenile delinquents at Toledo shall
36 together be known as the "state training school". For
37 the purposes of this chapter "director" means the
38 director of human services and "superintendent" means
39 the administrator in charge of the diagnosis and
40 evaluation center for juvenile delinquents and other
41 units at Eldora and the unit for juvenile delinquents
42 at Toledo.

43 3. The number of children present at any one time
44 at the state training school at Eldora shall not exceed
45 the population guidelines established under 1990
46 Iowa Acts, chapter 1239, section 21, as adjusted for
47 subsequent changes in the capacity at the training
48 school.

49 4. Each child placed at the state training school
50 and any other child receiving an examination at the

1 state training school by order of the court shall
2 receive a written plan for services. The plan for
3 services provided by the state training school to
4 a child shall identify any physical, emotional,
5 intellectual, behavioral, or mental health disorder or
6 condition affecting the child and recommend treatment
7 to address the disorder or condition, identify
8 any substance-related disorder of the child or the
9 child's family and recommend treatment to address the
10 disorder, and assess the child's educational status and
11 recommend action to address any identified educational
12 deficiency, and for follow-up services, identify
13 specific public and private service providers with the
14 capacity to meet the child's needs. A copy of the plan
15 for services and any subsequent amendment to the plan
16 shall be submitted to the child, the child's attorney,
17 and the juvenile court.

18 5. The state training school shall facilitate
19 the provision of follow-up services to children, who
20 received placement services at the state training
21 school and who remain under the jurisdiction of the
22 juvenile court, as necessary to meet the long-term
23 needs of the children as they age into adulthood. The
24 plan for follow-up services shall be developed with
25 the child in conjunction with juvenile court services
26 and the child's attorney. The provision of follow-up
27 services for children who remain under the jurisdiction
28 of the juvenile court is subject to approval by the
29 juvenile court. Follow-up services shall be provided
30 to support children who are discharged from the state
31 training school during the period beginning twelve
32 months prior to the children becoming age eighteen and
33 ending on the day prior to the children becoming age
34 eighteen who do not remain under the jurisdiction of
35 the juvenile court. In addition, follow-up services
36 shall be made available to children discharged from the
37 school at any age upon or after the children become age
38 eighteen and continuing until at least age twenty-one.

39 6. For any child placed at the state training
40 school, the school shall provide a written plan
41 regarding the placement status of the child on or about
42 the time the child becomes age eighteen. The plan
43 shall, while giving consideration to the treatment
44 needs of the child, also give consideration to the
45 long-term needs of the child upon becoming age eighteen
46 including needs for vocational training or higher
47 education. Given these considerations, the plan shall
48 identify placement options to meet the child's needs
49 that will not negatively affect the child's adult
50 eligibility for assistance provided with federal

1 financial participation. The assistance addressed
2 shall include but is not limited to the preparation
3 for adult living program under section 234.46, the
4 medical assistance program, the Iowa aftercare services
5 network, the federal educational and training vouchers
6 program for youths aging out of foster care, and the
7 federal job corps program.

8 7. The department shall cause the state training
9 school to be accredited as a secure juvenile
10 correctional facility by the American correctional
11 association, to meet the standards adopted by the
12 department for approval of a juvenile detention home,
13 and to meet applicable standards for programs providing
14 residential services for children paid for by a managed
15 care or prepaid services contract under the medical
16 assistance program. The standards applied in addition
17 to the American correctional association accreditation
18 requirements shall include but are not limited to the
19 minimum qualifications of staff. The standards and
20 sanctions for noncompliance shall be identified in
21 conjunction with the department of inspections and
22 appeals and experts who are not employed by or under
23 contract with the department. A regular assessment
24 of compliance with the standards shall be performed
25 by the department of inspections and appeals and that
26 department shall submit a report on each assessment to
27 the governor and general assembly.

28 8. The director and the superintendent for the
29 state training school shall provide on an ongoing
30 basis for the school's programs, facilities, and
31 services, and for the training of staff in order to
32 apply evidence-based practices and other recognized
33 contemporary approaches to ensure that the care
34 for the children served by the school is of high
35 quality. The director's and superintendent's efforts
36 and recommendations to comply with this requirement
37 shall be documented in the annual budget and financial
38 reporting submitted to the governor and the general
39 assembly.

40 Sec. ____. Section 233A.4, Code 2014, is amended to
41 read as follows:

42 **233A.4 Education and training.**

43 The state training school shall provide a positive
44 living experience for older juveniles who require
45 secure custody and who live at the state training
46 school for an extended period of time. The education
47 and training programs provided to the juveniles shall
48 reflect the age level and extended period of stay by
49 focusing upon appropriate developmental skills to
50 prepare the juveniles for productive living. The

1 education services provided to the children placed
2 at the state training school shall be provided in
3 accordance with section 282.33.

4 Sec. ____. Section 233B.1, Code 2014, is amended to
5 read as follows:

6 233B.1 Definitions — purpose — services —
7 population limit.

8 1. For the purpose of this chapter, unless the
9 context otherwise requires:

10 a. "Department" means the department of human
11 services.

12 a. b. "Administrator" or "director" "Director"
13 means the director of the department of human services.

14 b. c. "Home" "State training school" means the Iowa
15 juvenile home state training school for female juvenile
16 delinquents at Toledo maintained in accordance with
17 this chapter.

18 e. d. "Superintendent" means the superintendent of
19 the Iowa juvenile home state training school for female
20 juvenile delinquents.

21 2. The Iowa juvenile home state training school
22 for female juvenile delinquents shall be operated,
23 maintained for the purpose of providing care, custody,
24 and education of the children committed to the
25 home. The children shall be wards of the state. The
26 children's education shall embrace instruction in
27 the common school branches and in such other higher
28 branches as may be practical and will enable the
29 children to gain useful and self-sustaining employment.
30 The administrator and the superintendent of the home
31 shall assist all discharged children in securing
32 suitable homes and proper employment., and staffed
33 by the department of human services to do all of the
34 following for female residents of this state:

35 3. The number of children present at any one
36 time at the Iowa juvenile home shall not exceed the
37 population guidelines established under 1990 Iowa Acts,
38 chapter 1239, section 21, as adjusted for subsequent
39 changes in the capacity at the home.

40 a. Provide gender-responsive services to female
41 children less than age eighteen who have been
42 adjudicated under chapter 232 as delinquent and placed
43 at the state training school in accordance with a court
44 order.

45 b. If provided for by the children's education
46 plans, allow for continued placement at the state
47 training school for female children who were placed
48 at the state training school under paragraph "a"
49 upon the children becoming adults. The purpose of
50 continued placement is for completion of high school

1 education requirements identified in the education
2 plans developed by the provider of educational services
3 for the children.

4 c. Facilitate the provision of follow-up services
5 to children who received placement services at
6 the state training school and who remain under the
7 jurisdiction of the juvenile court, as necessary
8 to meet the long-term needs of the children as they
9 age into adulthood. The plan for follow-up services
10 shall be developed with the child in conjunction with
11 juvenile court services and the child's attorney.
12 The provision of follow-up services for children who
13 remain under the jurisdiction of the juvenile court is
14 subject to approval by the juvenile court. Follow-up
15 services shall be provided to support children who are
16 discharged from the state training school during the
17 period beginning twelve months prior to the children
18 becoming age eighteen and ending on the day prior to
19 the children becoming age eighteen who do not remain
20 under the jurisdiction of the juvenile court. In
21 addition, follow-up services shall be made available to
22 children discharged from the state training school at
23 any age upon or after the children become age eighteen
24 and continuing until at least age twenty-one.

25 3. Each child placed at the state training school
26 and any other child receiving an examination at the
27 state training school by order of the court shall
28 receive a written plan for services. The plan for
29 services provided by the state training school to
30 a child shall identify any physical, emotional,
31 intellectual, behavioral, or mental health disorder or
32 condition affecting the child and recommend treatment
33 to address the disorder or condition, identify
34 any substance-related disorder of the child or the
35 child's family and recommend treatment to address the
36 disorder, and assess the child's educational status and
37 recommend action to address any identified educational
38 deficiency, and for follow-up services, identify
39 specific public and private service providers with the
40 capacity to meet the child's needs. A copy of the plan
41 for services and any subsequent amendment to the plan
42 shall be submitted to the child, the child's attorney,
43 and the juvenile court.

44 4. For any child placed at the state training
45 school, the state training school shall provide a
46 written plan regarding the placement status of the
47 child on or about the time the child becomes age
48 eighteen. The plan shall, while giving consideration
49 to the treatment needs of the child, also give
50 consideration to the long-term needs of the child

1 upon becoming age eighteen, including needs for
2 vocational training or higher education. Given these
3 considerations, the plan shall identify placement
4 options to meet the child's needs that will not
5 negatively affect the child's eligibility as an adult
6 for assistance provided through federal financial
7 participation. The assistance addressed shall include
8 but is not limited to the preparation for adult living
9 program under section 234.46, the medical assistance
10 program, the Iowa aftercare services network, the
11 federal educational and training vouchers program for
12 youths aging out of foster care, and the federal job
13 corps program.

14 5. The department of human services and the
15 representatives of juvenile court services shall
16 annually recommend a desired capacity for the state
17 training school in the succeeding fiscal year to the
18 governor and general assembly no later than December
19 15. The capacity of the state training school for a
20 fiscal year shall be specified in the appropriations
21 for the school.

22 6. The education services provided to the children
23 placed at the state training school shall be provided
24 in accordance with section 282.33.

25 7. The department shall cause the state training
26 school to be accredited as a secure juvenile
27 correctional facility by the American correctional
28 association, to meet the standards adopted by the
29 department for approval of a juvenile detention
30 home, and to meet applicable standards for programs
31 providing residential services for children paid for
32 by a managed care or prepaid services contract under
33 the medical assistance program. The standards applied
34 in addition to the American correctional association
35 accreditation requirements shall include but are not
36 limited to the minimum qualifications of staff and
37 provision of gender-responsive services. The standards
38 and sanctions for noncompliance shall be identified
39 in conjunction with the department of inspections and
40 appeals and experts who are not employed by or under
41 contract with the department. A regular assessment
42 of compliance with the standards shall be performed
43 by the department of inspections and appeals and that
44 department shall submit a report on each assessment to
45 the governor and general assembly.

46 8. The director and the superintendent for the
47 state training school shall provide on an ongoing basis
48 for the state training school's programs, facilities,
49 and services, and for the training of staff in order
50 to apply evidence-based practices and other recognized

1 contemporary approaches to ensure that the care for the
2 children served by the state training school is of high
3 quality. The director's and superintendent's efforts
4 and recommendations to comply with this requirement
5 shall be documented in the annual budget and financial
6 reporting submitted to the governor and the general
7 assembly.

8 Sec. _____. Section 233B.2, Code 2014, is amended to
9 read as follows:

10 **233B.2 Salary.**

11 The salary of the superintendent of the ~~home~~
12 state training school shall be determined by the
13 administrator director in accordance with the state
14 requirements for similar positions.

15 Sec. _____. Section 233B.3, Code 2014, is amended to
16 read as follows:

17 **233B.3 Admissions Commitments and placements.**

18 ~~Admission to the home shall be granted to resident~~
19 ~~children of the state under seventeen years of age, as~~
20 ~~follows, giving preference in the order named:~~

21 1. ~~Neglected or dependent children committed by~~
22 ~~the juvenile court~~ Commitments to and placements at
23 the state training school shall be limited to the
24 commitments and placements specified in section 233B.1.

25 2. ~~Other destitute children.~~

26 Sec. _____. Section 233B.4, Code 2014, is amended to
27 read as follows:

28 **233B.4 Procedure.**

29 The procedure for commitment to and placement at the
30 ~~home is~~ state training school shall be as provided by
31 chapter 232 and section 233B.3.

32 Sec. _____. Section 233B.5, Code 2014, is amended to
33 read as follows:

34 **233B.5 Transfers.**

35 The ~~administrator director~~ may propose the transfer
36 to the home state training school of minor wards of the
37 state from any institution under the administrator's
38 director's charge or under the charge of any other
39 administrator of the department of human services,
40 ~~but no person shall be so transferred who is a person~~
41 ~~with mental illness or an intellectual disability,~~
42 ~~or who is incorrigible, or has any vicious habits,~~
43 ~~or whose presence in the home would be inimical to~~
44 ~~the moral or physical welfare of the other children~~
45 ~~within the home, and any such child in the home may be~~
46 ~~transferred to the proper state institution. However,~~
47 the superintendent shall only approve the transfer of
48 minor wards who meet the disposition criteria specified
49 in section 232.52, subsection 2, paragraph "e".

50 Sec. _____. Section 233B.6, Code 2014, is amended to

1 read as follows:

2 **233B.6 Profits and earnings.**

3 Any money earned by or accrued to the benefit of a
4 child who is transferred to, admitted to, or placed in
5 foster care from the home state training school shall
6 be used, held, or otherwise applied for the exclusive
7 benefit of that child, in accordance with section
8 234.37.

9 Sec. _____. Section 233B.7, Code 2014, is amended to
10 read as follows:

11 **233B.7 Rules.**

12 ~~All children admitted or committed to the home shall~~
13 ~~be wards of the state and subject to the rules of the~~
14 ~~home. Subject to the approval of the administrator,~~
15 ~~any child received under voluntary application may be~~
16 ~~expelled by the superintendent for disobedience and~~
17 ~~refusal to submit to proper discipline. Children shall~~
18 ~~be discharged upon arriving at the age of eighteen~~
19 ~~years, or sooner if possessed of sufficient means to~~
20 ~~provide for themselves. The department shall adopt~~
21 rules to administer and operate the state training
22 school in the best interests of the children placed at
23 the state training school.

24 Sec. _____. Section 234.6, Code 2014, is amended by
25 adding the following new subsection:

26 NEW SUBSECTION. 11. Provide upon request
27 assessment and consultation services to public and
28 private providers of child welfare services to address
29 the needs of children who have challenging behaviors.

30 Sec. _____. Section 234.46, subsection 1, paragraph
31 c, Code 2014, is amended to read as follows:

32 c. At the time the person became age eighteen, the
33 person received foster care services that were paid for
34 by the state under section 234.35, services at a state
35 training school, services at a juvenile shelter care
36 home, or services at a juvenile detention home and the
37 person is no longer receiving such services.

38 Sec. _____. Section 234.46, subsection 2, unnumbered
39 paragraph 1, Code 2014, is amended to read as follows:

40 The division shall establish a preparation for
41 adult living program directed to young adults. The
42 purpose of the program is to assist persons who are
43 leaving foster care and other court-ordered services
44 at age eighteen or older in making the transition
45 to self-sufficiency. The department shall adopt
46 rules necessary for administration of the program,
47 including but not limited to eligibility criteria for
48 young adult participation and the services and other
49 support available under the program. The rules shall
50 provide for participation of each person who meets the

1 definition of young adult on the same basis, regardless
2 of whether federal financial participation is provided.
3 The services and other support available under the
4 program may include but are not limited to any of the
5 following:

6 Sec. _____. Section 282.33, Code 2014, is amended by
7 striking the section and inserting in lieu thereof the
8 following:

9 **282.33 Funding for children residing in state mental**
10 **health institutes or training schools.**

11 1. An area education agency shall provide or make
12 provision for an appropriate educational program
13 for each child who lives in one of the following
14 institutions for children under the jurisdiction of the
15 director of human services:

16 a. Mental health institute, Cherokee, Iowa.

17 b. Mental health institute, Independence, Iowa.

18 c. State training school for male juvenile
19 delinquents, Eldora, Iowa, under chapter 233A.

20 d. State training school for female juvenile
21 delinquents, Toledo, Iowa, under chapter 233B.

22 2. The area education agency shall provide the
23 educational program by any one of but not limited to
24 the following:

25 a. Providing for the enrollment of the child in
26 the district of residence of the child, subject to the
27 approval of the district in which the child is living.

28 b. Cooperating with the district of residence
29 of the child and obtaining the course of study and
30 textbooks of the child for use in the special facility
31 into which the child has been placed.

32 c. Providing for the enrollment of the child in the
33 district in which the child is living, subject to the
34 approval of the district in which the child is living.

35 3. The area education agency shall submit a
36 proposed program and budget to the department of
37 education by January 1 for the next succeeding school
38 year for each institution. The department of education
39 shall review and approve or modify the program and
40 proposed budget and shall notify the department
41 of administrative services and the area education
42 agency of its action by February 1. The department
43 of administrative services shall pay the approved
44 budget amount for an area education agency in monthly
45 installments beginning September 15 and ending June 15
46 of the next succeeding school year. The installments
47 shall be as nearly equal as possible as determined by
48 the department of management, taking into consideration
49 the relative budget and cash position of the state's
50 resources. The department of administrative services

1 shall transfer the approved budget amount for an
2 area education agency from the moneys appropriated
3 under section 257.16 and make the payment to the area
4 education agency. The area education agency shall
5 submit an accounting for the actual cost of the program
6 to the department of education by August 1 of the
7 following school year. The department shall review
8 and approve or modify all expenditures incurred in
9 compliance with the guidelines pursuant to section
10 256.7, subsection 10, and shall notify the department
11 of administrative services of the approved accounting
12 amount. The approved accounting amount shall be
13 compared with any amounts paid by the department of
14 administrative services to the area education agency
15 and any differences added to or subtracted from the
16 October payment made under this subsection for the next
17 school year. Any amount paid by the department of
18 administrative services shall be deducted monthly from
19 the state foundation aid paid under section 257.16 to
20 all school districts in the state during the subsequent
21 fiscal year. The portion of the total amount of the
22 approved budget that shall be deducted from the state
23 aid of a school district shall be the same as the ratio
24 that the budget enrollment for the budget year of the
25 school district bears to the total budget enrollment in
26 the state for that budget year in which the deduction
27 is made.

28 4. For purposes of this section, "*district of*
29 *residence*" means the school district in which the
30 parent or legal guardian of the child resides or the
31 district in which the district court is located if the
32 district court is the guardian of the child.

33 5. Programs may be provided throughout the calendar
34 year and shall be funded under this section if the
35 school district or area education agency determines a
36 valid educational reason to do so.

37 Sec. _____. REPEAL. Sections 233B.10, 233B.11,
38 233B.12, 233B.13, and 233B.14, Code 2014, are repealed.

39 Sec. _____. EFFECTIVE UPON ENACTMENT. This division
40 of this Act, being deemed of immediate importance,
41 takes effect upon enactment.

42 DIVISION _____

43 STATE TRAINING SCHOOLS — CONFORMING AMENDMENTS

44 Sec. _____. Section 137F.1, subsection 7, unnumbered
45 paragraph 1, Code 2014, is amended to read as follows:
46 "*Food establishment*" means an operation that stores,
47 prepares, packages, serves, vends, or otherwise
48 provides food for human consumption and includes a
49 food service operation in a salvage or distressed food
50 operation, school, summer camp, residential service

1 substance abuse treatment facility, halfway house
2 substance abuse treatment facility, correctional
3 facility operated by the department of corrections, the
4 or state training school, ~~or the Iowa juvenile home.~~

5 "Food establishment" does not include the following:

6 Sec. _____. Section 218.1, subsections 7 and 8, Code
7 2014, are amended to read as follows:

8 7. State training school for male juvenile
9 delinquents, Eldora, Iowa, under chapter 233A.

10 8. ~~Iowa juvenile home~~ State training school for
11 female juvenile delinquents, Toledo, Iowa, under
12 chapter 233B.

13 Sec. _____. Section 218.6, subsection 3, Code 2014,
14 is amended to read as follows:

15 3. The state juvenile institutions consisting of
16 the state training school for male juvenile delinquents
17 at Eldora and the Iowa juvenile home state training
18 school for female juvenile delinquents at Toledo.

19 Sec. _____. Section 259A.6, Code 2014, is amended to
20 read as follows:

21 **259A.6 Residents of juvenile institutions and**
22 **juvenile probationers.**

23 Notwithstanding the provisions of section 259A.2 a
24 minor who is a resident of a state training school ~~or~~
25 ~~the Iowa juvenile home~~ or a minor who is placed under
26 the supervision of a juvenile probation office may make
27 application for a high school equivalency diploma and
28 upon successful completion of the program receive a
29 high school equivalency diploma.

30 Sec. _____. Section 261.6, subsection 2, paragraph b,
31 Code 2014, is amended to read as follows:

32 b. Is age seventeen and has been placed in ~~the~~
33 a state training school or the Iowa juvenile home
34 pursuant to a court order entered under chapter 232
35 under the care and custody of the department of human
36 services.

37 Sec. _____. Section 261.6, subsection 2, paragraph
38 c, subparagraph (4), Code 2014, is amended to read as
39 follows:

40 (4) On the date the person reached age eighteen or
41 during the thirty calendar days preceding or succeeding
42 that date, the person was placed in ~~the~~ a state
43 training school or the Iowa juvenile home pursuant to
44 a court order entered under chapter 232 under the care
45 and custody of the department of human services.

46 Sec. _____. Section 331.424, subsection 1, paragraph
47 a, subparagraph (1), subparagraph division (b), Code
48 2014, is amended by striking the subparagraph division.

49 Sec. _____. Section 331.756, subsection 51, Code
50 2014, is amended by striking the subsection.

1 Sec. _____. Section 331.802, subsection 3, paragraph
2 k, Code 2014, is amended to read as follows:

3 k. Death of a person ~~committed or~~ admitted to,
4 committed to, or placed at a state mental health
5 institute, a state resource center, ~~the or~~ a state
6 training school, ~~or the Iowa juvenile home.~~

7 Sec. _____. Section 357H.1, subsection 1, Code 2014,
8 is amended to read as follows:

9 1. The board of supervisors of a county with
10 less than twenty thousand residents, not counting
11 persons admitted ~~or~~ to, committed to, or placed at an
12 institution enumerated in section 218.1 or 904.102,
13 based upon the 2000 certified federal census, and with
14 a private lake development shall designate an area
15 surrounding the lake, if it is an unincorporated area
16 of the county, a rural improvement zone upon receipt
17 of a petition pursuant to section 357H.2, and upon
18 the board's determination that the area is in need of
19 improvements.

20 Sec. _____. EFFECTIVE UPON ENACTMENT. This division
21 of this Act, being deemed of immediate importance,
22 takes effect upon enactment.>

23 3. By renumbering as necessary.

M. SMITH of Marshall

ABDUL-SAMAD of Polk

ANDERSON of Polk

BERRY of Black Hawk

COHOON of Des Moines

DAWSON of Woodbury

DUNKEL of Dubuque

FORBES of Polk

GAINES of Polk

GASKILL of Wapello

HANSON of Jefferson

HEDDENS of Story

HUNTER of Polk

ISENHART of Dubuque

JACOBY of Johnson

KAJTAZOVIC of Black Hawk

KEARNS of Lee

KRESSIG of Black Hawk

LENSING of Johnson

LUNDBY of Linn

H. MILLER of Webster

MUHLBAUER of Crawford

MURPHY of Dubuque

OLDSON of Polk

OURTH of Warren

PRICHARD of Floyd

RUFF of Clayton

STAED of Linn

STECKMAN of Cerro Gordo

STUTSMAN of Johnson

T. TAYLOR of Linn

THEDE of Scott

WESSEL-KROESCHELL of Story

WINCKLER of Scott

WOOD of Scott